

Texas Board of Physical Therapy Examiners

**RULES AND PRACTICE
Committee Meeting**

**333 Guadalupe, Suite 2-510
Austin, Texas 78701**

**February 12, 2009
12:00 pm**

1. Call to order
 2. Public comment
 3. Approval of minutes from the November 8, 2008 meeting
 4. Discussion and possible action on the effect changes to §453.252 and §453.253 of the Practice Act would have on the Board's rules
 5. Discussion and possible action on staff requests for input on practice questions including the following topics: the sale of supplements, vitamins or other substances; services provided after discharge from physical therapy; timeframe for completion of treatment documentation; supervision of PTAs
 6. Discussion and possible action on proposing changes to §322.4, Practicing in a Manner Detrimental to the Public Health and Welfare
 7. Discussion and possible action on changes to the facility fee structure
 8. Discussion and possible action on future meeting dates and agenda item
 9. Adjournment
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Members Present: **Joe Spano, PT, Acting Chair**
 Shari Waldie, PT

Staff: Nina Hurter, PT Coordinator
 Mark Turek, Chief Investigator
 Cynthia Machado, Licensing Manager

Absent: **Daniel Reyna, Public Member**

1
2 **1. Call to order**
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4 Mr. Spano called role and determined a quorum was present. He called the meeting to order at 12:16
5 p.m.
6

7 **2. Public comment**
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9 There was no public comment.
10

11 **3. Approval of minutes from the November 8, 2008 meeting**
12

13 *Motion: To approve the minutes as submitted.*

14 *Made by: Shari Waldie*

15 *Motion passed unanimously.*
16

17 **4. Discussion and possible action on the effect changes to §453.252 and §453.253 of the**
18 **Practice Act would have on the Board's rules**
19

20 The Committee agreed that changes to the laws regarding license renewal and restoration of license
21 would require changing the Board's rules. The Committee agreed that some measure of competency
22 should be required of all those applying for a license, renewing a license, or restoring a license. The
23 Committee devised a first draft of the framework of, and timeframe for, requirements for renewing or
24 restoring a license that might be adopted if the law is changed.
25

26 **5. Discussion and possible action on staff requests for input on practice questions including the**
27 **following topics: the sale of supplements, vitamins or other substances; services provided**
28 **after discharge from physical therapy; timeframe for completion of treatment documentation;**
29 **supervision of PTAs**
30

31 The Committee discussed whether the sale of supplements and vitamins was within the scope of PT
32 practice, and determined that it was not. They directed staff to consult with the Board's attorney for a
33 review of the decision, and then to post it on the website if appropriate.
34

35 The Committee discussed an email regarding "maintenance" therapy and determined that it was not a
36 violation of the practice act for a PT to provide those services, although it does not qualify as a skilled
37 service.
38

39 The Committee discussed the effect of changing employment and staffing patterns on the continuity of
40 patient care. The Committee noted that new business and payment models were creating a system
41 where the PT, the PTA and the patient are less likely to be connected in any meaningful way. The
42 Committee decided to undertake a thorough study of several broad areas of concern: documentation,
43 PT participation in patient care, supervision of PTAs, and the continuum of care.
44

45 **6. Discussion and possible action on proposing changes to §322.4, Practicing in a Manner**
46 **Detrimental to the Public Health and Welfare**
47

48 The Committee discussed the staff suggestion of adding a paragraph addressing licensee responsibility
49 to report perceived violations to the list of detrimental practices.
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51 *Motion: To propose amendments to §322.4 as submitted.*

52 *Made by: Shari Waldie*

53 *Motion passed unanimously.*
54

55 **7. Discussion and possible action on changes to the facility fee structure**

Staff stated that they were investigating a concept for simplifying the facility fee structure, but that further work was needed before the board would be asked to consider it.

8. Discussion and possible action on future meeting dates and agenda item

There was no discussion of other topics for future discussion.

9. Adjournment

Motion: To adjourn the meeting

Made by: Shari Waldie

Motion passed unanimously.

Mr. Spano adjourned the meeting at 2:09 p.m.

Date reviewed by the Committee: 5/15/2009

Action taken by the Committee: approved as submitted.